

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ALASKA  
CIVIL DOCKET ENTRIES FOR CASE A99-0479--CV (HRH)  
"JOHN E. BROWN V UNISEA INC"

Including terminated parties, excluding terminated counsel

Presiding Judge: The Honorable H. Russel Holland, U.S. District Judge  
Magistrate Judge:  
Referral Rule:  
Filed: 07/13/99  
Closed: 02/01/01

Jurisdiction: (3) Federal Question (US Govt not a Party)  
PLF Diversity:  
DEF Diversity:

Nature of Suit: (710) Fair Labor Standards Act

Origin: (2) Removed from State Court  
Demand: 50  
Filing fee: Paid \$150.00 on 07/13/99 receipt # 00109564  
Trial by: Jury

Parties of Record:

Counsel of Record:

PLF 1.1 BROWN, JOHN E.

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DEF 1.1 UNISEA INC

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Document #	Filed	Docket text
1 - 1	07/13/99	DEF 1 Notice of Removal re: 3AN-99-5381 w/att verification & exhs.
2 - 1	07/13/99	DEF 1 Service List.
3 - 1	07/13/99	DEF 1 Attorney Appearance of J. Gorski [Hughes].
4 - 1	07/15/99	HRH Minute Order to petitioner subsequent to removal re: 3AN-99-5381 CI; petitioner to file State crt docs & service list w/in 10 days. cc: cnsl
5 - 1	07/20/99	DEF 1 Notice of compliance w/att exhs.
6 - 1	07/20/99	DEF 1 Jury Demand.
7 - 1	07/20/99	DEF 1 Answer and Counterclaim.
8 - 1	08/09/99	PLF 1 Answer to Counterclaim.
9 - 1	08/10/99	HRH Minute Order re: initial case stat rpt/case S&P; Rule 16(b) rpt is due w/i 21 days. cc: cnsl
10 - 1	08/24/99	DEF 1 Application re: non-resident attorney Ricahrd J. Omata w/lcl cnsl J. Gorski [HUGHES] w/att exh.
10 - 2	08/26/99	HRH Order granting #10. cc: cnsl
11 - 1	08/31/99	PLF 1; DEF 1 Report re:parties planning meeting.
11 - 2	08/31/99	PLF 1; DEF 1 Statement of issues.
12 - 1	09/07/99	HRH Scheduling and Planning Order setting pretrial deadlines: Original discovery 04/28/00; Dispositive motions deadline 05/28/00; Estimate of trial 5 days TBJ. cc: cnsl
13 - 1	10/05/99	PLF 1 Witness List.
14 - 1	01/05/00	PLF 1; DEF 1 Stipulation to extend pretrial ddlns w/proposed new ddlns; final revised wit list due 3/15/00; final supplemental wit list disclosing experts and reports due 3/15/00; discovery w/exception of

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		that pertaining to experts to be completed by 4/15/00; discovery as to experts to be completed by 4/28/00.
14 - 2	01/10/00	HRH Order GRANTING stip (14-1). cc: cns1
15 - 1	03/17/00	PLF 1; DEF 1 Stipulation for extension of time to file final witness list until 3/24/00.
15 - 2	03/21/00	HRH Order approving stip. cc: cns1
16 - 1	03/24/00	PLF 1 Final Witness List.
17 - 1	03/24/00	DEF 1 Final Revised Witness List.
18 - 1	05/15/00	DEF 1 motion for summary judgment w/att declarations & exhs.
19 - 1	05/15/00	DEF 1 motion for leave to file supplemental photographic evidence (videotape) in support of #18, w/att exh.
20 - 1	05/15/00	PLF 1 motion for rule of law to determine hourly rate of pay w/att exhs.
21 - 1	05/15/00	PLF 1 motion for summary judgment on the issue of damages pursuant to AS 23.05.140 w/att memo & exhs.
22 - 1	05/15/00	PLF 1 motion for summary judgment on the exemption issue w/att memo & exhs.
23 - 1	05/25/00	PLF 1 Affidavit (original) of John E. Brown re: PLF 1 motion for summary judgment on the exemption issue (22-1) .
24 - 1	05/30/00	DEF 1 opposition to PLF 1 motion for rule of law to determine hourly rate of pay (20-1) w/att exhs.
25 - 1	05/30/00	DEF 1 opposition to PLF 1 motion for summary judgment on the issue of damages pursuant to AS 23.05.140 (21-1)w/att exhs.
26 - 1	05/30/00	DEF 1 opposition to PLF 1 motion for summary judgment on the exemption issue (22-1) w/att exhs.
27 - 1	05/31/00	DEF 1 Declaration (original)of Richard J. Omata re: PLF 1 motion for rule of law to determine hourly rate of pay(20-1) w/att exhs.
28 - 1	05/31/00	DEF 1 Declaration (original) of Richard J. Omaha re: PLF 1 motion for summary judgment on the issue of damages pursuant to AS 23.05.140 (21-1) w/att exhs.
29 - 1	05/31/00	DEF 1 Declarations (original) of Richard J. Omata, Chris Plaisance & Jennifer Burkhardt re: PLF 1 motion for summary judgment on the exemption issue (22-1) w/att exhs.
30 - 1	06/02/00	Stipulation and Order that plf have until 6/9/00 to respond to def's mot for sj. cc: cns1
31 - 1	06/09/00	PLF 1; DEF 1 Stipulation for extension of time re: plf have till 7/12/00 to oppose def's mot for sj (5/15/00); plf have til 7/12/00 to reply to def's (5/30/00) oppo to plf mot for sj re: statue of limitations; plf's mot for sj re: exempt status; plft's mot re: hourly rate of pay; def have till 8/9/00 to reply to plf's 7/12/00 opp to def's 5/15/00 mot for sj.

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31 - 2	06/12/00	Order granting stip. cc: cns1
32 - 1	06/12/00	HRH Order granting def's motion for leave to file supplemental photographic evidence (videotape) (19-1). cc: cns1
33 - 1	06/21/00	DEF 1 Supplemental photographic evidence (videotape) re: DEF 1 motion for summary judgment (18-1) w/att aff & exh. (no video was provided)
34 - 1	07/12/00	PLF 1 reply to opposition to PLF 1 motion for summary judgment on the issue of damages pursuant to AS 23.05.140 (21-1) .
35 - 1	07/12/00	PLF 1 opposition to DEF 1 motion for summary judgment (18-1) w/att exhs.
35 - 2	07/12/00	PLF 1 reply to opposition to PLF 1 motion for summary judgment on the exemption issue (22-1) w/att exhs.
36 - 1	07/12/00	PLF 1 reply to opposition to PLF 1 motion for rule of law to determine hourly rate of pay (20-1) w/att exhs.
37 - 1	07/25/00	PLF 1 original affidavit of John Brown re: DEF 1 motion for summary judgment (18-1); PLF 1 motion for rule of law to determine hourly rate of pay (20-1); PLF 1 motion for summary judgment on the exemption issue (22-1).
38 - 1	08/08/00	Stipulation and Order that def have until 8/16/00 to file rply to plf oppo to its mot for sj. cc: cns1
39 - 1	08/16/00	DEF 1 reply to opposition to DEF 1 motion for summary judgment (18-1) w/att exhs.
40 - 1	08/18/00	DEF 1 Request for Oral Argument re: DEF 1 motion for summary judgment (18-1) .
41 - 1	08/18/00	PLF 1 Request for Oral Argument re: DEF 1 motion for summary judgment (18-1) .
42 - 1	08/18/00	DEF 1 Affidavit (notice of filing original) of J. Burkhardt in support of def's reply brief re: DEF 1 motion for summary judgment (18-1).
43 - 1	08/23/00	DEF 1 motion for permission to file over-length brief.
44 - 1	08/30/00	DEF 1 Affidavit (notice of filing original) Terry Shaff in support of reply brief re: PLF 1 motion for summary judgment on the exemption issue (22-1).
45 - 1	09/18/00	HRH Order granting motion for permission to file over-length brief (43-1). cc: cns1
46 - 1	10/17/00	HRH Minute Order setting o/a on mots at dkts 18, 20, 21 and 22 for 11/30/00 at 8:30 a.m.. cc: cns1
47 - 1	11/07/00	DEF 1 Supplemental authority re: DEF 1 motion for summary judgment (18-1), DEF 1's response to PLF 1 motion for summary judgment on the exemption issue (22-1).
48 - 1	11/29/00	PLF 1 Supplemental authority re: oppo to DEF 1 motion for summary judgment (18-1), PLF 1 motion for summary judgment on the exemption issue (22-1) & reply to def's oppo to plf's mot for sj on the exemption

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Document #	Filed	Docket text
		issue w/att exhs.
49 - 1	12/01/00	HRH Court Minutes [ECR: Linda Christensen] o/a held 11/30 on #18,21,20,22; under advisement, court to issue decision.
50 - 1	02/01/01	HRH Order denying plf's motion for summary judgment on the exemption issue (22-1); granting def's motion for summary judgment (18-1); terminating in light of this order: motion for rule of law to determine hourly rate of pay (20-1), motion for summary judgment on the issue of damages pursuant to AS 23.05.140 (21-1) as moot. cc: cns1
51 - 1	02/01/01	HRH Judgment that plf's complaint is dismissed with prejudice. cc: cns1, O&J 11031, redistributed w/costs
52 - 1	02/12/01	DEF 1 Bill of Costs w/att exhs.
53 - 1	02/13/01	DEF 1 Notice of cost bill hrg set for 2/16/01 at 9am.
54 - 1	02/16/01	Clerk's Notice re: taxation of def's cost bill for the defendant and against the plf in \$1,500.45. cc: cns1
55 - 1	03/02/01	PLF 1 appeal to 9CCA of (50-1) filed 02/01/01, (51-1) filed 02/01/01. cc:cns1, Judge Holland, 9CCA.
56 - 1	03/02/01	PLF 1 Transcript Designation/Order Form re: notice of appeal no transcripts ordered (55-1).
NOTE - 1	03/05/01	Transmittal: Forwarded notice of appeal (55-1) to 9CCA w/Representation Statement and CAD.
57 - 1	03/05/01	Cy 9CCA Certificate of Record. (55-1) cc: cns1, Judge Holland, 9CCA (original)
58 - 1	03/06/01	DEF 1 Transcript Designation (Notice) re: notice of appeal (55-1) requesting that appellant order transcript of o/a (11/10/00). cc: ecr
59 - 1	03/07/01	Clerk's notice that certificate of record was issued prematurely. cc: cns1, Judge Holland, 9CCA.
60 - 1	04/02/01	Cy 9CCA Time Schedule Order. (55-1) Appellants opening brief & excerpts due by 4/18/01, Appellee shall file & serve by 5/18/02, optional appellant reply brief due w/in 14 days of service of appellee brief. cc:cns1,Judge Holland.
61 - 1	04/16/01	Cy 9CCA Certificate of Record. (55-1) cc: cns1, Judge Holland, 9CAA.
62 - 1	04/16/01	Transcript (proceeding) re: notice of appeal (55-1) Tanscripts rec'd 4/16/01 11/30/00 hrg before Judge H. Russel Holand.
63 - 1	06/13/01	9CCA Judgment/Final Order re: notice of appeal (55-1) that appeal is dismissed; parties shall bear their own costs on appeal; this order shall serve as mandate of this court. cc: cns1, Judge Holland